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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/614,968

07/08/2003

David M. Bashant

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07/27/2006

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EXAMINER

ORTIZ, BELIX M

ART UNIT

PAPER NUMBER

2164

DATE MAILED: 07/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/614,968

Applicant(s)

BASHANT ET AL.

Examiner

Belix M. Ortiz

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5/1/2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Remarks

1. In response to communications files on 1-May-2006. Claims 9 and 10 are added and claim 1 is amended per applicant request. Therefore, claims 1-10 are presently pending in the application.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 9 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 9 and 10 are unclear and very confusing, the claim was rejected as best taught and understood by the examiner. The examiner does not understand how the storage knows that the first data is different from the second data.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-10 are rejected under 35 U.S.C. 103(a) (Eff. Filing date of div application: 10/25/2000) as being unpatentable over Zoltan (U.S. patent 6,529,917) (Eff. Filing date of application: 8/14/2000) in view of Hagerman (U.S. pub. 2005/0044354) (Eff. Filing date of cont. application: 10/6/2000).

As to claim 1, Zoltan teaches a system having a table of keys for synchronizing related data elements between a first and second storage system (see fig 4 and col. 3, lines 17-24), each key comprising:

- a universal identifier corresponding to a data element in the first and second storage system (see col. 8, lines 13-18) (wherein Zoltan teaches the checksum value which is equivalent to universal identifier, since same values is replicated in both databases as described in col. 6, lines 54-61);

- a first record identifier corresponding to the data element in the first storage system (see col. 3, lines 43-45); and

- a second record identifier corresponding to the data element stored in the second storage system, wherein the universal identifier, the first record identifier and the second record identifier are used to synchronize the data element between the first and second storage system, (see col. 5, lines 42-43), (Zoltan teaches synchronization between two databases using the universal identifier and record identifiers of the databases as described in col. 2, lines 56-62, Zoltan teaches all limitation and identifier columns. However, they are not elements of a single key as claimed. They are included in a separate table).

It would have been obvious for a person with ordinary skill in the art at the time the

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invention was made to incorporate different elements in a single key in a table because it provides single tables with multiple identification keys that improves processing performance by reducing time to search multiple tables.

Zoltan does not teach wherein the table of key is separate from the first storage system and the second storage system.

Hagerman teaches apparatus and method for implementing spoofing and replay attack resistant virtual zones on storage area network (see abstract), in which he teaches wherein the table of key is separate from the first storage system and the second storage system (see figure 1 and paragraph 40).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Zoltan by the teaching of Hagerman, because wherein the table of key is separate from the first storage system and the second storage system, would enable the system “The authentication code is recomputed 404 from the key and the fields of the frame, and verified against the received authentication code 300. Received frames that can not be verified are rejected 406. In this way, computer 100 and port 130 (FIG. 1) may be given common keys with, and thereby permitted to communicate with, port 138 and storage system 110; while computer 102 and port 132 may be blocked from communicating, or assigned to a different zone”, (see paragraph 41).

As to claims 2-5, Zoltan as modified teaches the claimed invention as described above with respect to claim 1. Zoltan does not specifically teach key comprising data element type

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or name of the storage as claimed.

However it is common practice in the art of database to have a key with data element type or name as is always done in spreadsheet application. An official notice is taken in this regard. Therefore it would have been obvious for a person with ordinary skill in the art at the time the invention was made to utilize well-known technique of utilizing keys with data element type or storage name because it would facilitate the database administrator in retrieving the data based on data type or storage.

As to claim 6, Zoltan as modified teaches the claimed invention of table interface and updating the keys (see Zoltan, fig 2, element 210 and col. 3, lines 4-8).

As to claim 7, Zoltan as modified teaches the claimed invention of identifier matching (see Zoltan, col. 2, lines 57-61). A table update system is described in (see Zoltan, col. 3, lines 4-8).

As to claim 8, Zoltan as modified teaches the claimed invention of accessing information from particular storage as shown in (see Zoltan, fig 8, element 804 and 806).

As to claim 9, Zoltan as modified teaches wherein the first storage system is designed to store first data related to the data element, and wherein the first storage system is designed to store second data related to the data element, and wherein the first data is designed to be different from the second data (see Hagerman, figure 1).

As to claim 10, Zoltan as modified wherein the first and second storage system do not separately maintain information for synchronizing the first and second storages system with each other (see Zoltan, figure 4).

Response to Arguments

5. Applicant's arguments filed 1-May-2006 with respect to the rejected claims in view of the cited references have been fully considered but they are not found persuasive:

In response to applicants' arguments that "Zoltan does not teach wherein the table of key is separate from the first storage system and the second storage system", the arguments have been fully considered but are not deemed persuasive, because Zoltan teaches "The authentication code is recomputed 404 from the key and the fields of the frame, and verified against the received authentication code 300. Received frames that can not be verified are rejected 406. In this way, computer 100 and port 130 (FIG. 1) may be given common keys with, and thereby permitted to communicate with, port 138 and storage system 110; while computer 102 and port 132 may be blocked from communicating, or assigned to a different zone", (see paragraph 41) and to incorporate different elements in a single key in a table because it provides single tables with multiple identification keys that improves processing performance by reducing time to search multiple tables.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Belix M. Ortiz whose telephone number is 571-272-4081. The examiner can normally be reached on Monday-Friday 9am-5pm.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bmo

July 17, 2006


CHARLES RONES
SUPERVISORY PATENT EXAMINER